

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Bell, et al.	Atty. Ref.:	18003-D2
Appl. No.:	10/743,649	Art Unit:	1645
Filed:	December 22, 2003	Examiner:	R. Zeman
Conf. No.:	7498	Customer No.:	31976
For:	ONCOLYTIC VIRUS		

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May 1, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Claim 1 of copending U.S. Application No. 10/717,101 has been provisionally rejected for alleged obviousness-type double patenting over claim 17 of the subject patent application in view of Weber et al. (Crit. Rev. Eukaryot Gene Expr. 2000, vol. 10, No. 3-4, pp.281-302) and Rummel et al. (J. Hematotherapy 1994, Vol. 3, pp. 213-218). The '101 application as published (Pub. No. US 2004/0109878), as well as the Weber et al. and Rummel et al. publications, were previously submitted with the July 20, 2005 Information Disclosure Statement.

Consideration of this IDS is respectfully requested (37 CFR 1.97(c)). The new provisional double patenting rejection of the '101 application was first made in an Office Action dated April 21, 2006, less than three months before the filing of this Statement, and the references cited therein have already been submitted to the Office in connection with the subject application. Accordingly, it is believed that the "item of information" cited in this Statement for purposes of the Statement under 37 CFR 1.97(e) is the new rejection in the '101 application and not the previously submitted references. On that

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basis the undersigned states that no item of information contained in this IDS was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this IDS (37 CFR 1.97(e)).

No fee is believed necessary in connection with the submission of this Statement. If any fee is required, the Commissioner is hereby authorized to charge the amount of such fee to Deposit Account No. 50-1677.

Respectfully submitted,

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